

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	:
v.	: Case No. 3:10-cr-3-KRG-KAP
JOSHUA SHENEGO,	: (Case No. 3:11-cv-269-KRG-KAP)
Movant	:

MEMORANDUM ORDER

The motion to vacate, docket no. 48, was referred to Magistrate Judge Keith A. Pesto for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on November 15, 2012, docket no. 64, recommending that the motion to vacate be denied, that a certificate of appealability be denied, and that the government's motion to enforce the waiver of post-conviction relief, docket no. 63, be granted.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Movant filed a motion for extension of time to file objections, docket no. 65, that was granted, docket no. 66. Movant subsequently filed two more motions, docket no. 68, docket no. 69, asking for extensions to February 10, 2013. That date has passed, no objections have been filed, and the time to do so has expired.

After review of the record of this matter, together with the Report and Recommendation, and noting the lack of timely objections thereto, the following order is entered:

AND NOW, this 23rd day of April, 2013, it is

ORDERED that the motion to vacate, docket no. 48, is denied; the motion to enforce the post-conviction relief waiver, docket no. 63, is granted. No certificate of appealability is issued. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark the civil matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a large initial "K".

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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